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Introduction

The German election of 22 September 2013 has, much as many expected, shuffled the cards dramatically in terms of the country's party politics. Rarely have so many parties experienced such a dramatic rise and fall in their fortunes within the space of one parliamentary cycle. Furthermore, changes in the long-standing dynamics that underpin the performance of both the CDU and SPD have continued. German party politics remains, in other words, anything other than dull.

We begin by briefly outlining what happened on election day before moving on to analyse the key factors that help to explain that outcome. We explain that the CDU/CSU did an impressive job of keeping more or less all substantive debate out of the campaign, choosing to stress the predominant position of Chancellor Angela Merkel both within the parties of the centre-right (the CDU and CSU) and within German politics as a whole. They wanted Merkel to be seen as epitomising German politics. They got their wish. The smaller coalition partner, the Free Democrats, struggled to profile itself in any meaningful way whilst the Social Democrats failed to persuade anyone other than their core supporters that they had a new vision for the country. The Greens struggled to do much the same, ultimately fighting a campaign that centred on damage limitation as a decidedly surreal discussion around thirty year old paedophilia claims and whether a national vegetarian day should be introduced blew them off course. The Left Party, meanwhile, had a much quieter campaign, stressing its traditional social justice and pacifist stances, and it was rewarded with a solid enough 8 per cent. Had both new upstarts, the libertarian 'Pirate Party' and the Euro-detesting 'Alternative for Germany' (AfD), got over 5 per cent of the vote (and it nearly did), then Germany's cards wouldn't have been 'mixed' so much as flung all over the floor. These changes are not one off events. Indeed, they are based in long-term structural changes within the German party system. Change, in other words, might become the new stability.

The Result

The election of 22 September 2013 saw five parties enter the federal parliament in Berlin. Angela Merkel's Christian Democratic Union of Germany (CDU) led the way with an impressive 34.1 per cent of the vote which, when added to the 7.4 per cent of the CDU's Bavarian sister party, the Christian Social Union (CSU), saw the parties of the centre-right total an impressive 41.5 per cent. This enabled them to send 311 MPs to parliament; 19 short of an overall majority, but nonetheless in a strategically strong position. The centre-right Social Democratic Party of Germany (SPD) performed better than it did in 2009, but given that that particular performance was their worst in modern history, that was hardly surprising. The SPD's 25.7 per cent (and with that 192 MPs) was subsequently viewed by those inside and outside of the party as a(nother) poor performance. The other two parties to return to the Bundestag, the Left Party and the Greens, will have been quietly satisfied with their performances. The Left Party's vote share may well have dropped by 3.3 per cent, but their 2009 performance was never likely to be one that they could seriously hope to repeat in 2013. Given that, 8.6 per cent and 64 MPs was a result that most LP members could live with. The Greens, meanwhile, had slipped from opinion poll highs of around 25 per cent little more than 12 months previously to end on 8.4 per cent of the vote and 63 parliamentarians. Disappointed though many Greens undoubtedly were at the party's inability to make electoral capital out of its mid-term popularity (based largely on the fallout from a nuclear accident in Japan and on high-profile local successes in one of Germany's southern regions), they remained solidly in parliament. And that, given that the party had suffered the trauma of leaving parliament through the 5 per cent trap door once before (in 1990), was enough for many.

Table 1: Results of the September 2013 parliamentary election in Germany

	2013			2009			Change	
	Absolute	in %	Seats	Absolute	in %	Seats	in %	Seats
Electorate	61,903,903	-	-	62,168,489	-	-	-	-
Turnout	44,289,652	71.5	-	44,005,575	70,8	-	0.8	-
Seats	-	-	630	-	-	622	-	8
CDU/CSU	18,157,256	41.5	311	14,685,515	33,8	239	7.4	72

CDU	*14,913,921*	*34.1*	*255*	*11,828,277*	*27,3*	*194*	*6.9*	*61*
CSU	*3,243,335*	*7.4*	*56*	*2,830,238*	*6,5*	*45*	*0.9*	*11*
SPD	11,247,283	*25.7*	*192*	9,990,488	*23,0*	*146*	2.7	46
Left Party	3,752,577	8.6	64	5,155,933	11,9	76	-3.3	-12
Greens	3,690,314	8.4	63	4,643,272	10,7	68	-2.3	-5
FDP	2,082,305	4.8	-	6,316,080	14,6	93	-9.8	-93
Alternative for Germany	2,052,372	4.7	-	-	-	-	-	-
Pirate Party	958,507	2.2	-	847,870	2,0	-	0.2	-
National Democratic Party of Germany	560,660	1.3	-	635,525	1,5	-	-0.2	-
Republicans	91,660	0.2	-	193,396	0,4	-	-0.2	-
Free Voters	422,857	1.0	-	-	-	-	-	-
Others	686,683	1.6	-	930,111	2,1	-	-0.5	-

Source: Preliminary official results (http://www.bundeswahlleiter.de) / Authors' own compilation

The same cannot be said for the liberal Free Democratic Party (FDP). For the first time in post-war history the FDP failed to hurdle the 5 per cent barrier and it is subsequently no longer represented in the federal parliament. The Free Democrats ultimately suffered from a series of gaffes made within government, and from their ineffectual attempts to reinvent themselves under new leader Philip Rösler. It came as no surprise when Rösler, and indeed his whole leadership team, stepped down soon after election day.

Normally, the also-rans in German elections are hardly worth mentioning. They tend to be a ragtag mixture of single issue parties and extremists. In 2013, however, two new(ish) actors did plenty to unnerve their more well-established opponents, and that even though both ultimately failed to gain federal representation. The shooting star of the previous three years, the Pirate Party, couldn't build on previous regional successes in Berlin and only polled 2.2 per cent. Ultimately, this was a major disappointment to the Pirates, representing little more than 0.2 per cent

more than they polled in 2009. Indeed, in an opinion poll of April 2012 every second respondent wanted to see the Pirates in the Bundestag (Infratest dimap 2012). A series of internal scandals did little to help their cause, and their chances of making a breakthrough have now almost certainly passed. A new centre-right Eurosceptic party, the Alternative for Germany (AfD), performed more impressively, but it too ultimately failed to achieve the 5 per cent needed to gain representation in the Bundestag. 4.8 per cent represented a good performance from what was effectively a standing start, and it is plausible that the AfD will use this as a springboard to success elsewhere (most noticeably the EP elections in May 2014). The AfD is not per se anti-European, its main aim is simply to see Germany leave the Eurozone – and so its success is almost certainly going to be linked with how the Eurocrisis plays out over the next few years. The performances of the Pirates and the AfD contributed to the fact that never in modern German history have so many votes been case for parties that are not represented in parliament. The FDP and the AfD alone garnered over four million votes (9.5 per cent), and over a sixth of all votes cast went to parties that are not present in the Bundestag. Given Germany's history, this is not a statistic of which many Germans are proud.

The impact of a 'new' electoral system

The German election of 2013 was held under a newly revised set of electoral rules. How many Germans were actually aware of this is, however, a moot point. To be fair to the German voters, the vast majority of the rules that were in place in 2009 remained so in 2013, but there were some important – and potentially highly significant – nuances.

Since 2002 the German Parliament has theoretically been home to 598 MPs. That represents a reduction from the 656 MPs that were returned in 1998. 299 of the MPs are elected in single member constituencies and the rest are returned via closed party lists from the sixteen German states. The mixed-member proportional system subsequently keeps constituency links, but is ultimately representative of the parties' vote share across the country as a whole.

Things begin to get complicated when you look under the surface and analyse the more specific outcomes that the German electoral system can produce. The rather delicate mathematical balancing act that the German version of MMP inevitably is can on occasion lead to the strange anomaly of a party gaining more directly elected candidates in a state than it should theoretically be allowed to send to the Bundestag. The SPD, for example, won every one of the thirteen constituency seats in Brandenburg in 2005 – yet, in terms of the proportion of second votes that it

received, it should have been permitted to send only ten MPs to the Bundestag from that state. When such anomalies occur – and they have occurred ever more frequently in recent years – the party simply keeps the extra seats that it is lucky enough to obtain. In 2009 the CDU/CSU won 24 surplus seats (*Überhangmandate*) across Germany in this way, while the SPD did not win any. However, given that the CDU/CSU/FDP coalition already possessed 308 of the 598 seats the CDU/CSU's 'bonus seats' largely went unnoticed. Much the same happened in 2005, when the SPD actually won more surplus seats than the CDU/CSU (nine versus seven). In 2002, however, the SPD won four and the CDU/CSU one. And, given that the 2002 election proved to be a very close one, with the CDU/CSU and SPD both polling 38.5 per cent of second votes, the three extra seats won by the SPD played a major role in giving the incumbent SPD–Green government a stable, albeit slim, majority in parliament. These quirks have prompted a number of organisations to complain that the rules on surplus seats should be reformed, and in July 2008 the Federal Constitutional Court (BvG) ruled this dynamic to be unconstitutional and subsequently demanded that the electoral laws be changed by 30 June 2011. The BvG's reasoning was that parts of the electoral law did not lead to every vote being nominally equal and, indeed, there were even scenarios where a vote *for* a party could lead to that party having *fewer* seats in parliament.

That the parties initially struggled to reach a compromise on what a new law should look like was unsurprising; one miscalculation and a party could find itself on the wrong end of the technicalities of the electoral law for years to come. Ultimately, however, a compromise was indeed found. The parties agreed that seats would continue to be distributed according to the proportion of second votes accrued. Parties would also continue to keep any additional surplus seats that they were lucky (or strategically clever) enough to win. However, a significant change came in that parties that did not win surplus seats would be compensated for them with so-called 'Ausgleichsmandate' (or 'equilibrium seats'). This would ensure that proportionality in the Bundestag remained in line with the percentages of the vote that the parties achieved on election day. The one apparent danger here was that if there were a significant number of surplus seats – and history showed that that could indeed happen – then the parliament could increase in size quite considerably, and *reducing* the number of MPs had been a stated aim of parties in the late 1990s and early 2000s. In reality, the 2013 election didn't live up to these expectations, and a rise of 8 (from 622 in 2009 to 630) hardly represented the crossing of a threshold of apparent unwieldiness. Whether the new system has the same effect in 2017 remains, of course, very much to be seen.

The Parties and the Campaign

The CDU/CSU centred their campaign almost completely round their candidate for Chancellor; the incumbent, Angela Merkel. Merkel remained widely respected (if not necessarily widely loved), and the opposition Social Democrats found it very difficult indeed to profile their candidate, Peer Steinbrück, against her. Through the campaign the CDU talked little about substantive policy, preferring to stress that Merkel was both a safe pair of hands and someone that German voters knew they could trust. She was widely credited with leading Germany through the Eurocrisis relatively unscathed, and her consensual style had won many domestic plaudits.

Her Social Democratic opponents would have struggled to make much of an impact on such a formidable opponent at the best of times, but their gaffe-prone candidate to replace her, Peer Steinbrück, ultimately make such a task impossible. Steinbrück had proven to be a popular member of the CDU/CSU-SPD Grand Coalition of 2005-09, and his pro-business tendencies were believed by many in the SPD to be their best chance of reassuring sceptical centrist voters about their economic competence. However, Steinbrück's penchant for giving well-remunerated speeches to the business community coupled with an ill-judged comment that the German chancellor didn't get paid enough soon turned the popular mood against him. A rather bizarre photo on the front of the weekend magazine of a well-known and widely-read German daily newspaper (the *Sueddeutsche Zeitung)* of Steinbrück posing with his middle finger displayed (apparently as an act of defiance) did little to dispel the impression that Germany was better suited with what it had (i.e. Merkel) than what it might end up with (i.e. a gaffe-prone Steinbrück).

Table 2: Opinions on the results of the chancellors debate (in Percent)

Candidates	Who do you think will perform better in the TV debate?	Who did perform better in the TV debate?	Who in your opinion performed…		
			better	worse	as expected
Merkel	30	40	10	16	74
Steinbrück	15	33	47	13	40
No difference	46	27	-	-	-
	Who was most convincing in the area		Who in the TV debate was…		

	of …				
	Eurocrisis	Social Justice	believable	nice	showed more competence
Merkel	40	24	40	31	29
Steinbrück	30	51	43	26	31
No difference	27	24	33	28	38

Source: Infratest dimap 2013 / Authors' own compilation

Steinbrück's last chance to change this impression came in a widely-watched TV debate with Merkel. Rarely are candidates' debates game-changers in German elections, and 2013 proved no different. 27 per cent of Germans saw no difference between the candidates, and although Steinbrück arguably performed better than many expected, Merkel's solid performance ensured that the debate had little negligible impact on the rest of the campaign.

Peer Steinbrück's failure to come across as the stronger candidate was reflected in his party's inability to seize the high ground in terms of policies. The fact that during the previous legislative period the SPD had supported the CDU/CSU in all of the most significant decisions on the Eurocrisis certainly didn't help. Indeed, the SPD's claims that Merkel was making the Eurocrisis worse sounded decidedly hollow. Data from Infrastest Dimap shows that it was only in the areas of social justice and health that the SPD was viewed to be more competent than the CDU/CSU (see table 3).

Table 3: Party competence

	CDU / CSU	SPD	FDP	LEFT	GREEN	Neither Party / don't know
Economic competence	57	21	4	1	2	13
Deal with international conflicts	54	20	3	3	4	15
Create new jobs	48	26	2	3	3	16
Good financial and budgetary policies	46	25	3	2	4	19

Solve the Eurocrisis	42	18	1	2	2	33
Education policy	38	30	3	4	7	17
Taxes	33	29	5	4	3	24
Family-orientated policies	32	32	2	5	11	16
Pensions	31	31	2	5	3	27
Health	29	33	4	2	8	22
Social Justice	26	40	2	8	5	16
Energy policy	23	23	2	4	22	25

Source: Infratest dimap 2013 DeutschlandTREND September 2013

The CDU/CSU's programmatic and personality strengths did not, however, mean that everything was plain-sailing. Indeed, the CDU/CSU faced one very specific challenge – that of who it actually intended to govern with. The centre-right's previous coalition partner, the FDP, looked from the opinion polls as if it were going to struggle to re-enter parliament. That position was not in and of itself an unusual one; on several occasions in the past the Free Democrats had been close to leaving the Bundestag, but each and every time the party managed to persuade enough erstwhile CDU (or SPD) voters to support it – largely on the pretext that it would be the best way of ensuring that their preferred party would be able to craft a governmental majority. However, early on in the 2009-2013 legislative period the FDP made a number of high-profile policy mistakes and voters were not keen to forget them. In the 2009 election campaign, for example, the Free Democrats promised that if they were to re-enter government then they would reduce taxes. They didn't, they increased a number of them. The Free Democrats were also party to an increase in VAT, with one of the notable exceptions to this being the hotel industry – an industry that had long been known to offer financial support to the Free Democrats. A number of personnel issues further alienated German voters, leaving the FDP battling for parliamentary survival.

Given that polling an overall majority of the votes was unlikely, this left Angela Merkel in the rather unenviable position of knowing that the best the CDU/CSU could hope for was a Grand Coalition with the SPD. Brief flirtations with the Greens at regional level had been largely unsuccessful, and although CDU/CSU-Green remained – for some at least – a long-term option, that was not an option in 2013. The SPD, meanwhile, officially declared that it was trying to achieve a second rendition of the Red-Green coalition that had governed Germany between 1998-2005. Whilst the coalition was widely seen to have been a success (and that despite a rather undignified end), there was one simple problem; it never looked like the maths was going to add up. If the Social Democrats and Greens were to have chosen to bring the Left Party in to the coalition equation, then the picture would have been different, but the LP's foreign policies (it still, officially at least, wants to abolish NATO) and the very existence of Oskar Lafonatine (a former SPD leader and minister in the first red-green government who left the SPD to ultimately join the LP) ensured that that was not a realistic alternative. It may be in 2017, but this was a coalition whose time had almost certainly not yet come.

Tabelle 4: Which coalition would be good for Germany? (Exit poll)

CDU/CSU +	SPD +	CDU/CSU +	CDU/CSU	CDU/CSU +	SPD +	SPD +

SPD	GREENS	FDP		GREENS	GREENS + LEFT	GREENS + FDP
57	43	41	36	27	24	12

Source: infratest-dimap.de / authors own compilation

The German people, meanwhile, did not seem to be hankering after wholesale change. Indeed, 51 per cent of citizens were happy with the performance of the federal government (the highest rating since 1994) and one clear constant that came out of all the polling in the run up to election day was that whatever coalition developed afterwards, the Germans wanted Angela Merkel to be leading it! In terms of preferred coalition options, the Germans took a decidedly liberal stance. CDU/CSU and FDP (i.e. the current government) only came in in third place, well behind the most popular option of a Grand Coalition between CDU/CSU und SPD. If Germans wanted change, then they wanted only a small change with a move back to a coalition (CDU/CSU-SPD) that they already knew well.

Who voted for whom?

Table 5 illustrates the major aggregate patterns of change evident in the 2013 election. The CDU did well across the board, attracting overall around 210,000 voters from the Social Democrats and 420,000 from the Greens. Given that these parties represented its main centrist challengers, this is a not inconsiderable achievement, and they more than compensate for the 290,000 voters that the CDU/CSU lost to the new, upstart Alliance for Germany. The major influx of voters for the CDU/CSU nonetheless clearly came from the FDP – over 2.1 million former Free Democrats voted for the CDU/CSU in 2013. Quite whether it is fair to call these voters 'former Free Democrats' remains a moot point, largely as many FDP voters have been seen as 'borrowed' votes in the first place, but it remains clear that an awful lot of disillusioned FDP voters turned their back on the liberals in 2013. Indeed, it wasn't just the CDU/CSU that benefited, as 530,000 previous FDP supporters voted SPD, 170,000 voted Green and 430,000 voted AfD. 90,000 even voted for the socialist Left Party.

Table 5: Voter transition at the parliamentary election in Germany 2013 (in thousands)

From… - to…	CDU/CSU	SPD	FDP	GREENS	LEFT	AfD	Non-voters

CDU/CSU	-	-210	-2,110	-420	-120	290	-1,130
SPD	210	-	-530	-550	-370	180	-360
FDP	2,110	530	-	170	90	430	460
GREENS	420	550	-170	-	-40	90	40
LEFT	120	370	-90	40	-	340	320
AfD	-290	-180	-430	-90	-340	-	-240
Non-voters	1,130	360	-460	-40	-320	240	-

Source: de.statista.com / authors own compilation

Even though the SPD lost votes to the CDU/CSU, it did gain 550,000 from the Greens and 370,000 from the Left Party. A positive reading of this would see the Social Democrats as slowly making up ground that they lost to these parties in 2005 and 2009, but progress remains worryingly slow for Germany's oldest party. The Left Party, meanwhile, lost votes across the board, but it too is probably now in a more realistic long-term position that it was in 2009. The key to LP success will be keeping this core of 8 per cent of the vote when the SPD (eventually) starts to push up towards the 30/35 per cent mark in the polls.

Government Formation

It normally takes time to form a government in Germany, and 2013 was no different with Angela Merkel not being sworn in as chancellor until 17 December – almost three months after the election took place. It had not, however, taken Merkel long to speak to the SPD about forming a possible coalition. According to some reports, Merkel spoke to the SPD's leader, Sigmar Gabriel, about taking this option forward little more than 24 hours after the final ballots had been cast. Neither party formally said that this was their preferred option and both took time to review their respective options. The SPD in particular was wary of joining forces with Merkel for a second time, and that largely as she'd proven so adept at out-manoeuvring them at the 2009 election. If the SPD leadership was going to convince the party membership that this was an option that made sense, then it had work to do.

The SPD executive nonetheless opted to enter talks with Merkel's CDU and the Bavarian CSU with the proviso that they would seek the support of the SPD membership for any deal struck. Whether the SPD has now started a trend that will be continued in 2017 remains to be seen, but

the chances are that the Social Democrats themselves are certainly likely to have to do this each and every time from now on. The Greens, for their part, were officially open to talks with the parties of the centre-right, but few people on either side thought that they had a realistic chance of success. Too much bad blood existed from the failed black-green experiment in the city-state of Hamburg for this to be a realistic option this time round and the CSU in particular made it clear that it was not willing to enter in to any agreement with the Greens. The Greens, for their part, quickly announced that they would not be talking to the Left Party – therefore ruling out any option for an SPD-led red-red-green coalition. The options were shrinking predictably fast.

Formal talks between the SPD and CDU/CSU subsequently began in early October and after five weeks of detailed negotiations the two parties reached agreement. Little in the new programme was genuinely eye-opening, although the new government plans to bring in a national minimum hourly wage of €8.50 (in 2015). Once, on 14 December, 76 per cent of SPD members voted to support the deal, all the barriers had been cleared and the new government was able to take office.

Conclusion

On the face of it, the new German government promises to be little different to the old one. The SPD is an altogether different party to the FDP, but the coalition agreement contains little that marks anything like a radical shift. Many of the cabinet faces are well-known and represent little that is substantively new; much of the new government's policy package has more continuity about it than it does change.

However, if one scratches below the surface, then the tectonic plates of German politics may well be shifting. The SPD remains stuck in the 20 per cent ghetto, and the LP and Greens have established themselves as long-term actors within the party system. One cornerstone of continuity, the FDP, faces an uncertain future whilst a new positively un-German-like Eurosceptic (with the emphasis on the 'sceptical of the Euro' part) party has made an impact. Whether the AfD will be around in 2017 remains to be seen, but one thing is clear; the era of the two-and-a-half party system is well and truly dead, and fluid party system dynamics would appear to be the new normality.